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## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Thomas G. Woolston  
Serial No. : 09/670,562  
Filed : September 27, 2000  
Title : METHOD FOR FACILITATING COMMERCE AT AN INTERNET-BASED AUCTION

Art Unit : 2763  
Examiner :

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

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INFORMATION DISCLOSURE STATEMENT ANDNOTICE OF LITIGATION UNDER MPEP 2001.06(C)

Applicants call attention to the attached Information Disclosure Statement and documents listed on the attached form PTO-1449.

The examiner's attention is also drawn to documents A641-A667 which were filed in litigation between the assignee of the above-referenced application and eBay, Inc., in the case MercExchange L.L.C. v. eBay, Inc. et. al., Civil Action No. 2:01-CV-736, in the U.S. District Court for the Eastern District of Virginia, involving the assignee of the above-referenced application, and at least one patent that is a family member to the above-referenced application. Applicants make no representations herein regarding the materiality of the documents submitted herewith. Applicants are merely making these documents available to the Patent Office as a result of the contentions of the parties in the above-referenced litigation.

For the examiner's convenience, copies of the references listed on the attached form PTO-1449 are being provided on two compact discs filed herewith. Paper copies will be provided if requested by the examiner.

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## CERTIFICATE OF MAILING BY FIRST CLASS MAIL

I hereby certify under 37 CFR §1.8(a) that this correspondence is being deposited with the United States Postal Service as first class mail with sufficient postage on the date indicated below and is addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Date of Deposit

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Signature

Nancy Grant

Nancy Grant

Typed or Printed Name of Person Signing Certificate

ALL REFERENCES CONSIDERED EXCEPT WHERE LINED THROUGH. /A.S./

Applicant : Thomas G. Woolston  
Serial No. : 09/670,562  
Filed : September 27, 2000  
Page : 2 of 2

Attorney's Docket No.: 13466-002005

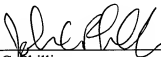
Consideration of the foregoing and enclosures plus the return of a copy of the enclosed form PTO-1449 with the Examiner's initials in the left column per MPEP 609 are earnestly solicited along with an early action on the merits.

This statement is being filed within three months of the filing date of the application or before the receipt of a first Office action on the merits. Please apply any charges or credits to Deposit Account No. 06-1050.

Respectfully submitted,

Date: \_\_\_\_\_

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Substitute Form PTO-1449  
(Modified)U.S. Department of Commerce  
Patent and Trademark OfficeAttorney's Docket No.  
13466-002005Application No.  
09/670,562**Information Disclosure Statement  
by Applicant**

(Use several sheets if necessary)

Applicant  
Thomas G. WoolstonFiling Date  
September 27, 2000Group Art Unit  
2763

(37 CFR §1.98(b))

**U.S. Patent Documents**

Examiner Initial	Desig. ID	Document Number	Publication Date	Patentee	Class	Subclass	Filing Date If Appropriate
	A1	3,573,747	04/06/1971	Adams et al			
	A2	3,581,072	5/25/1971	Nymeyer			
	A3	4,247,759	1/27/1981	Yuris, et al.			
	A4	4,270,042	5/26/1981	Case			
	A5	4,305,059	12/08/1981	Benton			
	A6	4,346,442	8/24/1982	Musmanno			
	A7	4,449,186	5/15/1984	Kelly, et al.			
	A8	4,553,222	11/12/1985	Kurland, et al.			
	A9	4,674,044	6/16/1987	Kalmus et al.			
	A10	4,677,552	6/30/1987	Sibley, Jr.			
	A11	4,734,858	03/29/1988	Schlaflly			
	A12	4,739,478	4/19/1988	Roberts et al.			
	A13	4,742,457	5/3/1988	Leon et al.			
	A14	4,751,640	6/14/1988	Lucas et al.			
	A15	4,755,940	07/05/1988	Brachtel et al			
	A16	4,775,935	10/04/1988	Yourick			
	A17	4,789,928	12/6/1988	Fujisaki			
	A18	4,795,890	01/03/1989	Goldman			
	A19	4,799,156	1/17/1989	Shavit et al.			
	A20	4,812,628	03/14/1989	Boston et al			
	A21	4,823,265	4/18/1989	Nelson			
	A22	4,864,516	09/05/1989	Gaither et al			
	A23	4,876,648	10/24/1989	Lloyd			
	A24	4,885,685	12/5/1989	Wolfberg et al.			
	A25	4,887,208	12/12/1989	Schneider et al			
	A26	4,903,201	2/20/1990	Wagner			
	A27	4,910,676	3/20/1990	Allredge			

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/Asfand Sheikh/

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ALL REFERENCES CONSIDERED EXCEPT WHERE LINED THROUGH. /A.S./

Substitute Form PTO-1449 (Modified)	U.S. Department of Commerce Patent and Trademark Office	Attorney's Docket No. 13466-002005	Application No. 09/670,562
<b>Information Disclosure Statement by Applicant</b> (Use several sheets if necessary) (37 CFR 600.9(b))		Applicant Thomas G. Woolston	
		Filing Date September 27, 2000	Group Art Unit 2763



## U.S. Patent Documents

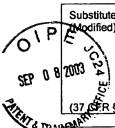
Examiner Initial	Desig. ID	Document Number	Publication Date	Patentee	Class	Subclass	Filing Date If Appropriate
	A28	4,922,521	05/01/1990	Krikke et al			
	A29	4,935,870	06/19/1990	Burk et al			
	A30	4,947,028	08/07/1990	Gorog			
	A31	4,977,595	12/11/1990	Ohta et al			
	A32	4,982,346	01/01/1991	Girouard et al			
	A33	4,992,940	2/12/1991	Dworkin			
	A34	5,021,953	6/4/1991	Webber et al.			
	A35	5,060,153	10/22/1991	Nakagawa			
	A36	5,063,507	11/5/1991	Lindsey et al.			
	A37	5,077,607	12/31/1991	Johnson et al			
	A38	5,077,665	12/31/1991	Silverman et al.			
	A39	5,101,353	3/31/1992	Lupien et al.			
	A40	5,136,501	8/4/1992	Silverman et al.			
	A41	5,168,446	12/1/1992	Wiseman			
	A42	5,191,613	3/2/1993	Graziano et al.			
	A43	5,193,056	3/9/1993	Boes			
	A44	5,206,803	4/27/1993	Vitagliano et al.			
	A45	5,220,501	06/15/1993	Lawlor et al			
	A46	5,235,680	8/10/1993	Bijnagte			
	A47	5,237,500	8/17/1993	Perg et al.			
	A48	5,239,462	8/24/1993	Jones et al.			
	A49	5,243,515	9/7/1993	Lee			
	A50	5,247,575	09/23/1993	Sprague et al			
	A51	5,258,908	11/2/1993	Hartheimer et al.			
	A52	5,262,942	11/16/1993	Earle			
	A53	5,280,305	01/18/1994	Monroe et al			
	A54	5,280,422	01/18/1994	Moe et al			

Examiner Signature /Astand Sheikh/	Date Considered 11/24/2008
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Substitute Form PTO-1449 (Modified)	U.S. Department of Commerce Patent and Trademark Office	Attorney's Docket No. 13466-002005	Application No. 09/670,562
<b>Information Disclosure Statement by Applicant</b> (Use several sheets if necessary)		Applicant <b>Thomas G. Woolston</b>	
		Filing Date <b>September 27, 2000</b>	Group Art Unit <b>2763</b>

(37 CFR §1.98(b))

## U.S. Patent Documents

Examiner Initial	Desig. ID	Document Number	Publication Date	Patentee	Class	Subclass	Filing Date If Appropriate
	A55	5,283,731	2/1/1994	Lalonde et al.			
	A56	5,285,383	2/8/1994	Lindsey et al.			
	A57	5,297,031	03/22/1994	Guterman et al			
	A58	5,297,032	03/22/1994	Trojan et al			
	A59	5,305,195	04/19/1994	Murphy			
	A60	5,305,200	4/19/1994	Hartheimer et al.			
	A61	5,319,542	06/07/1994	King			
	A62	5,323,315	6/21/1994	Highbloom			
	A63	5,325,297	6/28/1994	Bird et al.			
	A64	5,329,589	7/12/1994	Fraser et al.			
	A65	5,334,822	08/02/1994	Sanford			
	A66	5,335,170	08/02/1994	Petteruti et al			
	A67	5,336,870	08/09/1994	Hughes et al			
	A68	5,341,429	08/23/1994	Stringer et al			
	A69	5,345,091	09/06/1994	Craig et al			
	A70	5,347,306	9/13/1994	Nitta			
	A71	5,347,632	9/13/1994	Filepp et al.			
	A72	5,351,186	09/27/1994	Bullock et al			
	A73	5,351,293	09/27/1994	Michener et al			
	A74	5,375,055	12/20/1994	Togher , et al.			
	A75	5,383,113	01/17/1995	Kight et al			
	A76	5,394,324	2/28/1995	Clearwater			
	A77	5,402,336	08/02/1994	Spiegelhoff et al			
	A78	5,414,833	05/09/1995	Hershey et al			
	A79	5,424,944	6/13/1995	Kelly et al.			
	A80	5,426,281	6/20/1995	Abecassis			
	A81	5,428,778	06/27/1995	Brookes			

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Substitute Form PTO-1449



Substitute Form PTO-1449 (Modified)	U.S. Department of Commerce Patent and Trademark Office	Attorney's Docket No. 13466-002005	Application No. 09/670,562
<b>Information Disclosure Statement by Applicant</b> (Use several sheets if necessary)		Applicant Thomas G. Woolston	
		Filing Date September 27, 2000	Group Art Unit 2763

U.S. Patent Documents							
Examiner Initial	Desig. ID	Document Number	Publication Date	Patentee	Class	Subclass	Filing Date If Appropriate
	A82	5,448,625	9/5/1995	Lederman			
	A83	5,451,998	9/19/1995	Hamrick			
	A84	5,453,926	09/26/1995	Stroshcin et al			
	A85	5,465,291	11/7/1995	Barrus et al.			
	A86	5,485,510	01/16/1996	Colbert			
	A87	5,521,815	05/28/1996	Rose			
	A88	5,526,479	6/11/1996	Barstow et al.			
	A89	5,553,145	09/03/1995	Micali			
	A90	5,557,518	9/17/1996	Rosen			
	A91	5,557,728	09/17/1996	Garrett et al			
	A92	5,561,707	10/1/1996	Katz			
	A93	5,584,025	12/10/1996	Keithley et al.			
	A94	5,592,375	1/7/1997	Salmon et al.			
	A95	5,594,732	1/14/1997	Bell et al.			
	A96	5,598,557	01/28/1997	Doner et al			
	A97	5,611,051	03/11/1997	Pirelli			
	A98	5,625,818	04/29/1997	Zarmer et al			
	A99	5,625,823	4/29/1997	Debenedictis et al.			
	A100	5,629,982	05/13/1997	Micali			
	A101	5,630,125	05/13/1997	Zellweger			
	A102	5,657,389	08/12/1997	Houvenor			
	A103	5,664,110	09/02/1997	Green et al			
	A104	5,664,111	9/2/1997	Nahan et al.			
	A105	5,664,115	9/2/1997	Fraser			
	A106	5,666,493	09/09/1997	Wojcik et al			
	A107	5,689,652	11/18/1997	Lupien et al			
	A108	5,694,546	12/02/1997	Reisman			

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<b>Information Disclosure Statement by Applicant</b> (Use several sheets if necessary) (37 CFR § 1.98(b))		Applicant <b>Thomas G. Woolston</b>	
		Filing Date September 27, 2000	Group Art Unit 2763

**U.S. Patent Documents**

Examiner Initial	Desig. ID	Document Number	Publication Date	Patentee	Class	Subclass	Filing Date If Appropriate
	A109	5,694,551	12/02/1997	Doyle et al			
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	A111	5,706,457	01/06/1998	Dwyer et al			
	A112	5,710,889	01/20/1998	Clark et al			
	A113	5,715,314	2/3/1998	Payne et al.			
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	A115	5,724,521	3/3/1998	Dedrick			
	A116	5,727,165	03/10/1998	Ordish et al			
	A117	5,745,882	4/28/1998	Bixler et al.			
	A118	5,752,238	5/12/1998	Dedrick			
	A119	5,771,291	01/23/1998	Newton et al			
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	A122	5,774,873	06/30/1998	Berent et al			
	A123	5,778,367	07/07/1998	Wesinger et al			
	A124	5,794,207	8/11/1998	Walker et al.			
	A125	5,794,210	8/11/1998	Goldhaber et al.			
	A126	5,794,219	08/11/1998	Brown			
	A127	5,799,285	08/25/1999	Klingman			
	A128	5,803,500	09/08/1998	Mossberg			
	A129	5,809,144	09/15/1998	Sirbu et al			
	A130	5,818,914	10/6/1998	Fujisaki			
	A131	5,826,244	10/20/1998	Huberman			
	A132	5,832,459	11/03/1998	Cameron et al			
	A133	5,835,896	11/10/1998	Fisher et al			
	A134	5,838,906	11/17/1998	Doyle et al.			
	A135	5,842,040	11/24/1998	Hughes et al.			

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<b>Information Disclosure Statement by Applicant</b> (Use several sheets if necessary)		Applicant <b>Thomas G. Woolston</b>	
		Filing Date <b>September 27, 2000</b>	Group Art Unit <b>2763</b>
(37 CFR §1.98(b))			

## U.S. Patent Documents

Examiner Initial	Desig. ID	Document Number	Publication Date	Patentee	Class	Subclass	Filing Date If Appropriate
	A136	5,845,265	12/1/1998	Woolston			
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	A138	5,850,442	12/15/1998	Muftic			
	A139	5,864,823	1/26/1999	Levitan			
	A140	5,870,552	2/9/1999	Dozier et al.			
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	A142	5,872,848	02/16/1999	Romney et al			
	A143	5,873,069	02/16/1999	Reuhl et al			
	A144	5,878,400	3/2/1999	Carter, III			
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	A144	5,884,056	03/16/1999	Steele			
	A147	5,890,138	3/30/1999	Godin et al.			
	A148	5,896,379	4/20/1999	Haber			
	A149	5,903,647	5/11/2019	Ronning			
	A150	5,905,974	05/18/1999	Fraser et al			
	A151	5,905,975	05/18/1999	Ausubel			
	A152	5,915,209	6/22/1999	Lawrence			
	A153	5,922,074	07/13/1999	Richard et al			
	A154	5,926,794	07/20/1999	Fethe			
	A155	5,933,813	8/3/1999	Teicher et al.			
	A156	5,946,467	8/31/1999	Pathakis et al.			
	A157	5,987,425	11/16/1999	Hartman et al.			
	A158	5,991,739	11/23/1999	Cupps et al			
	A159	5,999,915	12/07/1999	Nahan et al			
	A160	6,006,201	12/21/1999	Berent et al			
	A161	6,029,141	2/22/2000	Bezos et al.			
	A162	6,049,785	04/11/2000	Gifford			

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Substitute Form PTO-1449 (Prescribed)	U.S. Department of Commerce Patent and Trademark Office	Attorney's Docket No. 13466-002005	Application No. 09/670,562
<b>Information Disclosure Statement by Applicant</b> (Use several sheets if necessary)		Applicant <b>Thomas G. Woolston</b>	
		Filing Date <b>September 27, 2000</b>	Group Art Unit <b>2763</b>
(37 CFR 1.98(b))			

**U.S. Patent Documents**

Examiner Initial	Desig. ID	Document Number	Publication Date	Patentee	Class	Subclass	Filing Date If Appropriate
	A163	6,055,516	04/25/2000	Johnson et al			
	A164	6,055,573	4/25/2000	Gardenswartz et al.			
	A165	6,061,660	5/9/2000	Eggleston et al.			
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	A168	6,205,432	3/20/2001	Gabbard et al.			
	A169	6,259,699	7/10/2001	Opalka et al.			
	A170	6,266,651	7/24/2001	Woolston			
	A171	6,272,474	8/7/2001	Garcia			
	A172	6,282,516	8/28/2001	Giuliani			
	A173	6,292,786	9/18/2001	Deaton et al.			
	A174	6,336,105	1/1/2002	Conklin et al.			
	A175	6,336,138	1/1/2002	Caswell et al.			
	A176	6,377,937	4/23/2002	Paskowitz			
	A177	6,397,212	5/28/2002	Biffar			
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**Foreign Patent Documents or Published Foreign Patent Applications**

Examiner Initial	Desig. ID	Document Number	Publication Date	Country or Patent Office	Class	Subclass	Translation	
							Yes	No
	A180	0542298 A2	05/19/1993	Europe				
	A181	2 658 635	8/23/1991	France				
	A182	2,102,606	02/02/1983	Great Britain				
	A183	9300266	9/1/1994	Netherlands				
	A184	WO 91/16691	10/31/1991	WIPO				
	A185	WO 92/15174	9/3/1992	WIPO				
	A186	WO 95/16971	06/22/1995	WIPO				

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(37 CFR 1.98(b))			

### Foreign Patent Documents or Published Foreign Patent Applications

Examiner Initial	Desig. ID	Document Number	Publication Date	Country or Patent Office	Class	Subclass	Translation	
							Yes	No
	A187	WO 96/34356	10/31/1996	WIPO				
	A188	WO 97/19415	5/29/1997	WIPO (3 parts)				
	A189	WO 97/37315	10/9/1997	WIPO				
	A190	WO 98/19259	5/7/1998	WIPO (2 parts)				
	A191	WO 98/35469	8/13/1998	WIPO (2 parts)				
	A192	WO 99/63461	12/09/1999	WIPO				
	A193	WO 99/06913	2/11/1999	WIPO				
	A194	WO 99/13417	3/18/1999	WIPO				
	A195	WO 00/08578	2/17/2000	WIPO				
	A196	WO 00/17797	3/30/2000	WIPO				
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### Other Documents (include Author, Title, Date, and Place of Publication)

Examiner Initial	Desig. ID	Document
	A198	"[ADS FOR ANTIQUE SHOWS]," <u>The Inside Collector</u> , October 1992, Vol.3, No.2
	A199	"Acid Rain Auctions Is Successful," American Metal Market, Volume 103 No. 69, April 11, 1995
	A200	"Active Message Processing Messages as Messengers," (Illegible) Centre for Mathematics and Computer Science, Report CSR9035 August
	A201	"Ameritech Library Services Unveils Webpac at ALA," PR Newswire, June 27, 1995
	A202	"An Analysis and Recommendation for the Terms of the Reclaim Trading Credit," Report submitted to South Coast Air Quality Management District, Contract No. R-C93074, April 27, 1993
	A203	"Anonymous Delivery of Goods in Electric Commerce," <u>IBM Technical Disclosure Bulletin</u> , March 1996, Volume 39, No. 3, p. 363-364.
	A204	"Anonymous Delivery of Goods in Electronic Commerce (Continued)," <u>IBM Technical Disclosure Bulletin</u> , March 1996, Volume 39, No. 3, p.365-366
	A205	"AT&T PersonalLink Services to Use Intelligent Network Assistants," AT&T, January 6, 1994
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<b>Information Disclosure Statement by Applicant</b> (Use several sheets if necessary)		Applicant Thomas G. Woolston	
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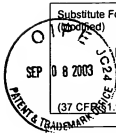
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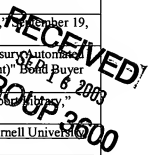
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<b>Information Disclosure Statement by Applicant</b> (Use several sheets if necessary) (37 CFR 1.98(b))		Applicant <b>Thomas G. Woolston</b>	
		Filing Date <b>September 27, 2000</b>	Group Art Unit <b>2763</b>



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	Applicant Thomas G. Woolston		Group Art Unit 2763
(37 CFR 1.98(b))		Filing Date September 27, 2000	

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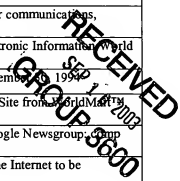
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Substitute Form PTO-1449 (Modified)	U.S. Department of Commerce Patent and Trademark Office	Attorney's Docket No. 13466-002005	Application No. 09/670,562
<b>Information Disclosure Statement by Applicant</b> (Use several sheets if necessary) (37 CFR § 1.98(b))		Applicant Thomas G. Woolston	
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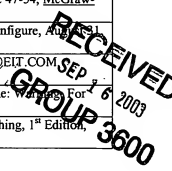
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Examiner Signature /Asfand Sheikh/	Date Considered 11/24/2008
EXAMINER: Initials citation considered. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.	

ALL REFERENCES CONSIDERED EXCEPT WHERE LINED THROUGH. /A.S./